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<b>Title</b>	<b>ADDITIONAL MEMO</b> to the Council Assessment Report dated 23 October 2017 signed by Ana Vissarion – Development Planner, Willoughby City Council
<b>Panel Reference</b>	2017SNH059 DA
<b>DA Number</b>	DA-2014/445/D
<b>LGA</b>	Willoughby City Council
<b>Proposed Development</b>	S96 - to include changes to driveway, lift, apartments layouts, heritage building and modification to conditions.
<b>Street Address</b>	36-38 Hercules Street, 17 Albert Avenue & 256-260 Victoria Avenue, CHATSWOOD NSW 2067
<b>Additional Memo prepared by</b>	Ana Vissarion – Development Planner, Willoughby City Council
<b>Additional Memo date</b>	22 November 2017

The Assessment Report for Modification Application 2014/445/D for 'S96 - *to include changes to driveway, lift, apartments layouts, heritage building and modification to conditions*' at 36-38 Hercules Street, 17 Albert Avenue and 256-260 Victoria Avenue, Chatswood NSW 2067 has been submitted to the Sydney North Planning Panel (SNPP) with a recommendation for *Approval* subject to an amended list of conditions.

The S96 application includes modification of Condition 133 that requires minimum 3 hours free parking for staff and visitors of the commercial/retail spaces. The relevant part of *Condition 133 On-site Car Parking* of consent DA-2014/445/C currently states:

*The commercial/retail car parking shall provide for a minimum of 3 hours free of charges parking for staff and visitors of the commercial/retail spaces for the life of the development.*

The applicant requested variation of the condition to reduce the period for free parking to 1 hour. The report recommends that the condition be modified to enable a minimum of 2 hours free parking for staff and visitors of the commercial/retail spaces for the life of the development. At the Council Meeting of 13 November 2017 Council resolved to object to the modification to *Condition 133 On-site Car parking* above.

The request from the applicant for 1 hour of free parking as submitted with the modification application 2014/445/D notes the followings:

- The commercial floor contains approx. 16 commercial/retail shops while Chatswood Chase has 216 shops and Chatswood Westfield has 286 shops;
- The current 3 hours free parking requirement will encourage customers to continue their shopping experience at Chatswood Chase which was not the intention of the developer when it made the investment; and



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- The 1 hour free parking will ensure better turn-over thus enable a greater number of customers to be accommodated without resorting to on-street car parking.

The recommendation for 2 hours of free parking in the Assessment Report to SNPP took into consideration the arguments above and the followings:

- The operation of similar-sized commercial spaces elsewhere in Sydney metro area;
- The minimum time necessary for customers to have a pleasant shopping and dining experience;
- The proximity to other parking opportunities (including parking across at Chatswood Chase in order to shop within the subject development); and
- The balance between the interests of the customers to shop at different places without moving their car and the interests of the shop owners at this specific location.

At the Council Meeting of 13 November 2017 Willoughby Council resolved to object to the modification of *Condition 133 On-site Car parking*, requesting to maintain the requirement for 3 hours free parking due to the followings:

- Other major retail outlets within the Chatswood CBD, such as Westfield and Chatswood Chase provide a minimum of 3 hours free parking;
- Maintaining the requirement will minimise on street traffic movement as car park sharing occurs within the CBD (a shopper visiting one centre will also shop elsewhere whilst in Chatswood CBD); and
- Reducing free parking will potentially result in less shopping for all retail outlets including for the subject centre.

One of the objectives of the zone B4 Mixed Use as stated in the Land use table within Willoughby Local Environmental Plan 2012 (WLEP 2012) is to support “*shopping, business and recreational services that contribute to the vitality of the centre*”. The vitality and functionality of the area is the underlying objective of the original formulation of the Condition 133 and of the recent request from Willoughby Council.

Nonetheless, while more free car parking within the development will minimise on street traffic movement within the adjoining streets and Chatswood CBD and support shopping within close-by shops, *Condition 133 On-site Car Parking* in the original consent refers strictly to the “*staff and visitors of the commercial/retail spaces*” within the subject development. The car parking spaces in question were nominated in accordance with *Part C.4 Transport Requirements for Development of Willoughby Development Control Plan (WDCP)* specifically for the subject development. The recommendation to amend the *Condition 133* to require a minimum of 2 hours free parking for staff and visitors of the commercial/retail spaces for the life of the development provides a balance between the interests of the developer and of the local businesses and of the community as a whole.